United States District Court

for the

Western District of Texas

| Larry G. Philpot |) |
|---|-------------|
| Plaintiff(s) V. Emmis Operating Company |)) |
| Defendant(s) |))) |

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Emmis Operating Company

By and Through Its Registered Agent C T Corporation System 1999 Bryan Street, Suite 900 Dallas. Texas 75201-3136

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Kenton J. Hutcherson. Esq.

Kenton J. Hutcherson, Esq. Hutcherson Law PLLC

3131 McKinney Avenue, Suite 600

Dallas, Texas 75204

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: September 25, 2018



Jeannette J. Clack CLERK OF COURT

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 1:18-cv-816

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

| | This summons for (nan | ne of individual and title, if any) | | | | |
|--------|--|-------------------------------------|---------------------------------|------|----|--|
| was re | ceived by me on (date) | · | | | | |
| | ☐ I personally served | the summons on the individual a | at (place) | | | |
| | | | on (date) | ; or | | |
| | ☐ I left the summons at the individual's residence or usual place of abode with (name) | | | | | |
| | on (date), a person of suitable age and discretion who resides there, on (date), and mailed a copy to the individual's last known address; or | | | | | |
| | | | | | | |
| | ☐ I served the summo | , who | is | | | |
| | designated by law to accept service of process on behalf of (name of organization) | | | | | |
| | | | on (date) | ; or | | |
| | ☐ I returned the sumn | nons unexecuted because | | ; | or | |
| | ☐ Other (specify): | | | | | |
| | My fees are \$ | for travel and \$ | for services, for a total of \$ | 0.00 | | |
| | I declare under penalty | y of perjury that this information | is true. | | | |
| Date: | | | | | | |
| 2 | | | Server's signature | | _ | |
| | | | Printed name and title | | _ | |
| | | | Server's address | | | |

Additional information regarding attempted service, etc: